

## **REMARKS**

The present response accompanies a Request for Continued Examination (RCE). Claims 1-23 are currently pending in the application. Claims 1, 4-9, 12, 13, 15, 17, 20 and 22 have been amended. Claim 24 has been added, and claim 10 has been canceled. Support for the amendments may be found throughout the specification, such as page 15, lines 2-22 and page 17, lines 1-20, for example. Therefore, claims 1-9 and 11-24 will be pending after entry of the foregoing claim amendments.

Preliminarily, Applicant would like to address certain statements in the Office Action suggesting Applicant has “mischaracterize[d]” the teachings of U.S. Patent No. 7,155,508 (“Sankuratripati”) (*see* Office Action dated September 11, 2007 (“Office Action”) at p. 3 (“[I]n view of Applicant’s remarks, The Office respectfully concludes that the applicant mischaracterizes the teachings of Sankuratripati. For instance, Applicants have selected portions of the Sankuratripati to contend the rejection without capturing the essence of the prior art teachings”). Applicant respectfully submits that the remarks in each of Applicant’s previous responses are correct, and have been made in good faith and for the purpose of identifying explicit teachings of Sankuratripati, as best understood by Applicant, that are fully supported by specific citations to Sankuratripati’s written disclosure. While Applicant and the Examiner may disagree as to what Sankuratripati does or does not teach, any disagreement does not amount to a mischaracterization of the reference by Applicant.

Applicant gratefully acknowledges the time and attention afforded by Examiner Gilles during a telephonic interview on October 18, 2007. During the interview, Applicant and Examiner Gilles discussed the foregoing statements in the Office Action. Examiner Gilles acknowledged that the statements in the Office Action were not meant to suggest that Applicant has in any way acted in bad faith during prosecution of the present application.

Applicant and Examiner Gilles further discussed the non-anticipatory and non-obvious nature of the claims in view of Sankuratripati. Applicant proposed amending the claims to further distinguish the claimed invention over the cited reference. Examiner Gilles agreed to reconsider the application in view of the proposed amendments. Accordingly, Applicant has amended the claims as discussed during the interview.

Independent claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Sankuratripati. Without conceding the merits of the rejection, Applicant has amended claim 1 in an effort to facilitate prosecution.

As amended, claim 1 recites, in part, an instruction set that includes an algorithm for comparing a user's profile information to the user's content usage information and for generating a preference for the user based on the comparison. The algorithm further operates on the preference to obtain a range of concentric user-targeted content. The range of concentric user-targeted content is correlated in varying degrees to the preference and includes a buy content offering and a product content offering. For example, as recited in amended claim 7, the buy content offering may include a first product that is directly related to a request of the user, and the product content offering may include a second product that is correlated to the user's profile information.

The Office Action contends that Sankuratripati discloses "a profiling system that communicates user targeted data based on user preferences so that various levels of user profiling data can be provided to organization that deliver ads to those users (*see* column 3, lines 1-7; column 13, lines 10-54; *see* summary of the invention)" (Office Action at pp. 3-4). Even assuming, *arguendo*, that the foregoing contentions of the Office Action are correct, the cited portions of Sankuratripati do not teach or suggest the recited range of concentric user-targeted content that includes a buy content offering and a product content offering.

More specifically, Sankuratripati discloses a system that packages and communicates user profile data to ad sources (Sankuratripati at col. 3, ll. 1-2). The system enables the ad sources to select and deliver ads to the user based on changes in the user's profile data (*id.* at col. 3, ll. 2-4). The system includes a preference-data generation server that generates preference data using data mined from the user's profile data (*id.* at col. 4, ll. 1-3). The generated preference data are sent to an ad server, which matches ads to the preference data and then delivers the ads to the user (*id.* col. 4, ll. 40-43 and 60-63). According to Sankuratripati, the ads "are selected according to the appropriate theme or themes defined in the categorized preference lists . . . ." (*id.* at col. 11, ll. 55-58).

Thus, while Sankuratripati appears to select user ads based on themes associated with the user's preference data, the cited portions of Sankuratripati do not disclose a range of concentric user-targeted content that includes a buy content offering and a product content

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offering, as recited in claim 1. Accordingly, Applicant respectfully submits that claim 1 patentably defines over the cited reference.

Like claim 1, independent claims 17 and 22 have also been amended to recite a range of concentric user-targeted content that includes a buy content offering and a product content offering. Thus, claims 17 and 22 are believed to patentably define over the cited reference for at least the same reasons discussed above.

As claim 2-9 and 11-16 depend from claim 1, claims 18-21 and 24 depend from claim 17, and claim 23 depends from claim 22, Applicant further submits that the dependent claims likewise patentably define over the cited reference.

Accordingly, Applicant respectfully requests that the rejection of claims 1-9 and 11-23 be withdrawn.

For at least the foregoing reasons, Applicant respectfully submits that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Bryan T. Giles at (215) 564-8954, to discuss the resolution of any remaining issues.

Respectfully submitted,

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